

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 189 be amended to read as follows:

- 1           Page 1, delete lines 1 through 17, begin a new paragraph and insert:  
2           "SECTION 1. IC 13-22-3-10 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. **(a)** In addition  
4           to any other requirements, ~~a permit may not be issued under this~~  
5           ~~chapter for the construction or operation of~~ a hazardous waste facility  
6           to be used for the destruction or treatment of a chemical munition  
7           ~~unless the person applying for the permit has demonstrated with the~~  
8           **Indiana hazardous waste number I001 must demonstrate** all of the  
9           following:  
10           (1) That the destruction or treatment technology to be used at the  
11           proposed hazardous waste facility: ~~has been in operation:~~  
12           **(A) at a facility comparable to the proposed hazardous waste**  
13           **facility; and**  
14           **(B) for a time sufficient to demonstrate that (A) will destroy**  
15           **or treat** ninety-nine and nine thousand nine hundred  
16           ninety-nine ten thousandths percent (99.9999%) of the  
17           chemical munition processed; ~~at the comparable facility has~~  
18           ~~been destroyed or treated; or~~  
19           **(B) will assure that the chemical munition processed will**  
20           **be destroyed or treated to below the detection limit of the**  
21           **analytical method approved by the commissioner.**  
22           (2) That monitoring data from ~~a comparable~~ the hazardous waste  
23           facility demonstrates that there are no emissions from the

~~comparable~~ facility that alone or in combination with another substance present a risk of any of the following:

(A) An acute or a chronic human health effect.

(B) An adverse environmental effect.

(3) That a plan to:

(A) provide sufficient training, coordination, and equipment for state and local emergency response personnel needed to respond to possible releases of harmful substances from the proposed hazardous waste facility; and

(B) evacuate persons in the geographic area at risk from the worst possible release of:

(i) the chemical munition; or

(ii) a substance related to the destruction or treatment of the chemical munition;

from the proposed hazardous waste facility;

has been funded and developed.

**(b) The department shall implement an inspection and oversight protocol for the facility to ensure that the requirements of this title are met."**

Page 2, delete lines 1 through 26.

Re-number all SECTIONS consecutively.

(Reference is to ESB 189 as printed February 20, 2004.)

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Representative Grubb